

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Tess Nguyen, Associate Planner  
**DATE:** July 18, 2012

**SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 12-06 (VEGILICIOUS RESTAURANT)**

**LOCATION:** 16821 Algonquin Street, Unit 103, 92649 (northwest corner of Davenport Drive and Algonquin Street – Huntington Harbour Mall)

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**Applicant:** Akira Nakao, 2855 Pinecreek Drive, Unit A403, Costa Mesa, CA 92626

**Property Owner:** D.D. Dunlap Properties, Inc., 16897 Algonquin Street, Huntington Beach, CA 92649

**Request:** To permit the conversion of an existing retail space into a new 1,300 sq. ft. restaurant within a commercial shopping center.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

**Zone:** CG – CZ (Commercial General – Coastal Zone)

**General Plan:** CG – F1 (Commercial General – 0.35 Maximum Floor Area Ratio)

**Existing Use:** Vacant Commercial Suite

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**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

**SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of minor alterations to an existing commercial building involving no expansion in the overall floor area of the structure.

### **SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 12-06:**

1. Coastal Development Permit No. 12-06 to permit the conversion of an existing retail space into a new 1,300 sq. ft. restaurant within a commercial shopping center conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following policies:

Policy – C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

Policy – C 1.2.1: Accommodate existing uses and new development in accordance with the Coastal Element Land Use Plan and the Development and Density Schedule Table C-1.

The proposed use is similar to and compatible with existing uses in the Huntington Harbour Mall. It will be located within the interior of the existing commercial center to serve the residents in the community and visitors to the area.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project complies with all applicable land use controls and development standards, including on-site parking requirements.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The project will involve tenant improvements on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access, recreation, or views to coastal resources.

### **SUGGESTED CONDITIONS OF APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 12-06:**

1. The site plan received and dated June 19, 2012 and floor plan received and dated June 28, 2012, shall be the conceptually approved design.
2. CDP No. 12-06 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning & Building Department a minimum 30 days prior to the expiration date.
3. Incorporating sustainable or “green” building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green’s Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.